

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): HIMES, Steven

Appln. No.: 09

725,080

Series Code ↑

Serial No. ↑

Filed: November 29, 2000

Hon. Commissioner of Patents

Washington, D.C. 20231

Sir:

REPLY/AMENDMENT/LETTER

RECEIVED

OCT 31 2001

Group 2100

Group Art Unit

Unassigned

Examiner:

Unassigned

Atty. Dkt.

P

268496

M#

Client Ref

Appln. Title: LOYALTY LINK METHOD AND APPARATUS FOR INTEGRATING CUSTOMER INFORMATION WITH DEALER MANAGEMENT INFORMATION

Date: October 23, 2001

This is a reply/amendment/letter in the above-identified application and includes the herewith attachment of same date and subject which is incorporated herinto by reference and the signature below is treated as the signature to the attachment in absence of a signature thereto.

FEE REQUIREMENTS FOR CLAIMS AS AMENDED

1. Small Entity claim

- A. ☒ NOT made
B. ☐ Withdrawn
C. ☐ made herewith
D. ☐ made previously
- For B & C
See **Required**
Separate Paper
(Pat-256)

Claims remaining after amendment	Highest number previously paid for	Present Extra	Large/Small Entity	Additional Fee	Fee Code Lg/Sm
2. Total Effective Claims	0	**minus 0 0	x \$18/\$9 =	+ \$0	103/203
3. Independent Claims	0	***minus 0 0	x \$84/\$42 =	+ \$0	102/202
4. If amendment enters proper multiple dependent claim(s) into this application for first time (leave blank if this is a reissue application)		add	+ \$280/\$140 =	+ \$0	104/204
5. Original due Date:	<input type="checkbox"/> NONE				
6. Petition is hereby made to extend the original due date to cover the date this response is filed for which the requisite fee is attached	(1 mo) (2 mos) (3 mos) (Usable only for ≤ 2mo.OA --- 4 mos) (Usable only for 30 day/1mo.OA --- 5 mos)	\$110/\$55 = \$400/\$200 = \$920/\$460 = \$1,440/\$720= \$1,960/\$980=	+ \$		115/215 116/216 117/217 118/218 128/228
7. Enter any previous extension fee paid since above original due date and subtract		- \$0			
8.					
9. If Terminal Disclaimer attached, add Rule 20(d) official fee		Extension Fee Attached	+ \$		
10. If IDS attached requires Official Fee under Rule 97 (c), or if Rule 97(d) Request	add	+ \$110/\$55 + \$130 + \$180	+ \$0		148/248 126 126
11. After-Final Request Fee per rules 129(a) and 17(r)		+ \$740/370	+ \$0		146/246
12. No. of additional inventions for examination per Rule 129(b)		x \$740/370 ea	+ \$0		149/249
13. Request for Continued Examination (RCE)		+ \$740/370	+ \$0		1179/1279
14. Petition fee for Renewed Petition to Make Special Under 37 CFR §1.102(d)			+ \$130		
15.					
16. *If the entry in this space is less than entry in next space, the "Present Extra" result is "0".					
17. **If the "Highest number previously paid for" in this space is less than 20, write "20" in this space.					
18. ***If the "Highest number previously paid for" in this space is less than 3, write "3" in this space.					
TOTAL FEE ENCLOSED =					\$130

Our Deposit Account No. 03-3975)

(Our Order No. 81684

C#

268496

M#

CHARGE STATEMENT: The Commissioner is hereby authorized to charge any fee specifically authorized hereafter, or any missing or insufficient fee(s) filed, or asserted to be hereafter relative to this application and the resulting Official Document under Rule 20, or credit any overpayment, to our Accounting/Order Nos. shown above, for which purpose a duplicate copy of this sheet is attached.

This CHARGE STATEMENT does not authorize charge of the issue fee until/unless an issue fee transmittal sheet is filed.

Query: Is appeal deadline now? If so, file Notice of Appeals separately.

Pillsbury Winthrop LLP

Intellectual Property Group

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NOTE: File this cover sheet in duplicate with PTO receipt (PAT-103A) and attachments



#6

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT APPLICATION of

HIMES, Steven

Group Art Unit: Unassigned

Appln. No.: 09/725,080

Examiner: Unassigned

Filed: November 29, 2000

FOR: LOYALTY LINK METHOD AND APPARATUS FOR INTEGRATING
CUSTOMER INFORMATION WITH DEALER MANAGEMENT INFORMATION

RECEIVED
OCT 30 2001
TECHNICAL STAFF

RENEWED PETITION TO MAKE SPECIAL UNDER 37 CFR §1.102(d)

October 23, 2001

Hon. Commissioner of Patents
and Trademarks
Washington, D.C. 20231

RECEIVED
OCT 31 2001
Group 2100

Sir:

In response to the Decision mailed August 13, 2001 denying the Applicants' original petition to make special under 37 CFR §1.102(d), Applicants hereby renew their petition pursuant to MPEP §708.02(VIII) to make the above-identified U.S. patent application special.

Applicants' original petition to make special under 37 C.F.R. §1.102(d) was denied for failing to "submit[] a detailed discussion of the references, which discussion points out, with the particularity required by 37 C.F.R. §1.111(b) and (c), how the claimed subject matter is patentable over the references" pursuant to MPEP §708.02(VIII). Applicants have submitted herein a detailed discussion of the references which discussion points out how the claimed subject matter is patentable over the references.

If it is determined that the pending claims are not directed to a single invention,

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Applicants will make an election without traverse as required under MPEP §708.02(VIII)(b).

Applicants submit that a pre-examination search has been made by a professional searcher in the following classes:

Class 701, subclass 30,

Class 364, subclasses 468.15, 468.17, and 479.06,

Class 340, subclass 933, and

Class 705, subclass 27.

Copies of the following references which are presently, from among those of record, the most closely related to the subject matter encompassed by the claims were enclosed with Applicant's original petition to make special of January 24, 2001.

U.S. PATENT NO.

INVENTOR(S)

5,072,380

Randleman et al.

5,058,044

Stewart et al.

4,159,531

McGrath et al.

6,041,310

Green et al.

5,931,878

Chapin, Jr. et al.

5,657,233

Cherrington et al.

5,557,268

Hughes et al.

5,499,181

Smith et al.

DETAILED DISCUSSION OF THE REFERENCES

U.S. Patent 5,072,380 **Randleman et al.**

This patent teaches a system and method for identifying a vehicle in a prescribed area of a service station and associating services with the vehicle. Each vehicle includes a transponder. Communication between the transponder and the service stations is via radio frequency signals.

U.S. Patent 5,058,044 **Stewart et al.**

This patent teaches a system for automatically identifying vehicles, assimilating data from an identified vehicle, correlating the data with predetermined data and providing a statement of account indicative of a transaction involving the vehicle. The system also provides a service record of the vehicle for use in connection with the transaction. For example, in a car rental environment, the service report is utilized by an attendant to determine if such service items as refilling the fuel tank are necessary. Primarily, data for the service record is provided by sensors located on-board the vehicle. The sensor data may be supplemented by data inputted via a keyboard located on-board the vehicle.

U.S. Patent 4,159,531 **McGrath et al.**

This patent teaches a solid state unit which is intended as an aid in the maintenance and upkeep of a motor vehicle, and which serves as a reminder of the next maintenance mileage point, and the items to be serviced at the next maintenance operation. The unit also serves as a permanent record of the scheduled maintenance that has been performed on the

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vehicle throughout its lifetime. The unit is intended to be mounted under the dashboard, or at any other convenient location within the vehicle. The unit includes a programmable read-only memory (PROM) in which data is permanently stored representing the mileage at which the next maintenance operations are to be performed, as well as data identifying the items requiring servicing at the next maintenance point. The unit also includes an appropriate display, and solid state logic circuitry which, when activated, causes the mileage at which the next scheduled maintenance is to be performed, as well as the items to be serviced at the next scheduled maintenance point, to be displayed. In addition, the unit may be conditioned to display the last maintenance mileage point, and the items actually serviced at the last maintenance operation. In a preferred embodiment of the invention, the memory also stores as a permanent record data relating to all previous actually performed maintenance operations, and the mileage points at which such operations were performed. In addition, data relating to the identity of the dealer who serviced the vehicle at each maintenance point may be stored in the memory; as well as data relating to the original dealer, the make, model and year, and the serial number of the vehicle.

U.S. Patent No. 6,041,310 Green et al.

This patent teaches a method and system for facilitating a transaction between a customer and an automobile dealership. The system includes a kiosk including an input/display terminal and a terminal processor for formulating a multilevel customer query of automobile inventory. The query searches a storage device containing automobile data and images to return a selected inventory to the input/display device. The practice of the invention includes storing customer data, selected inventory information for later access by a marketing

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follow-up application and a financing and insurance application.

U.S. Patent No. 5,931,878 Chapin, Jr. et al.

This patent teaches a computerized prompting system especially useful for vehicular maintenance and includes a level of maintenance database with task schedules for selected vehicles and prompt frequencies for those tasks. A prompter initiates a display informing the user that a scheduled maintenance is due to be performed on a selected date and an Internet exchange connects the database to a service center. The system has a capability to print coupons and to receive and incorporate updates from manufacturers.

U.S. Patent No. 5,657,233 Cherrington et al.

This patent teaches an integrated highly automated vehicle analysis system employing a technician terminal for displaying a plurality of inspection screens, and for entering inspection results. The technician terminal generates an inspection report after the inspection results have been input. A point-of-sale terminal is used to generate a cost estimate report in response to the generation of the inspection report and also generates an invoice report. The system includes a plurality of databases, including an inspection guideline database, a specifications database (containing vehicle specifications), a customer/inspection database (containing prior inspection records), and a parts catalog database (containing part numbers and part costs).

U.S. Patent No. 5,557,268 Hughes et al.

This patent teaches a system and method for identifying a vehicle for the purpose of

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displaying diagnostic information to the driver. Each vehicle includes a transponder that transmits an encoded character sequence that is unique to that vehicle. In this way vehicle diagnostic measurements made at the establishment entrance can be associated with the vehicle, and displayed to the customer when the vehicle is recognized again at a service area.

U.S. Patent No. 5,499,181 Smith et al.

This patent teaches methods and apparatus for communicating with an occupant of a vehicle. A method includes the steps of coupling the vehicle to a station; transferring information from the station into the vehicle; and receiving the transferred information and storing the transferred information within the vehicle. In this embodiment of the invention the station is located at a site that provides a service for the vehicle, and the transferred information includes a portion that indicates when a next service is due for the vehicle. The transferred information may include a date that a next service is due and/or a distance that the vehicle is to travel before the next service is due. In this embodiment the vehicle automatically compares a current date and/or an odometer reading to the stored information; and presents a message within the vehicle in human perceptible form when equality is indicated. The information transferred into the vehicle may also include at least executable program instruction and an associated memory address for storage of the at least one instruction.

THE PRESENT APPLICATION

The present application, however, describes a customer data capture system integrated

with a dealership data management system that allows customer and vehicle maintenance data to be exchanged between a kiosk on the floor of the dealership and the data management system. The customer inserts a customized card into a kiosk, and interacts with the pre-programmed software on the kiosk. The software recommends scheduled maintenance services and suggests potential coupon savings, based on the information received from the customer's card and the information stored in the data management system. A service order is generated and routed to the service department. As a result, the accuracy and speed of entering customer data are enhanced, while the dealership is able to offer value-added services at the point of sale, thus enhancing the dealership's business relationship with the customer.

In one aspect, the present invention, e.g. as claimed in independent claim 1, includes a programmable apparatus that comprises a smart card and a generating means to generate response data, that includes recommended services, from a vehicle dealership management system. In another aspect, the present invention, e.g. as claimed in independent claims 17 and 18, includes a programmable apparatus that comprises a smart card system and a vehicle dealership management system electronically communicating with the smart card system. In another aspect, the present invention, e.g. as claimed in independent claim 31, includes a system integration method executed by a programmable apparatus that comprises receiving input data, through a smart card reader, from a user and generating with a programmable apparatus response data, that includes recommended services, from a vehicle dealership management system. In a further aspect, the present invention, e.g. as claimed in independent claims 47 and 48, includes a method for a programmable apparatus that comprises storing and accessing information regarding vehicle dealership activities with a smart card system and communicating between the vehicle dealership management system and the smart card

system. In a further aspect, the present invention, e.g. as claimed in independent claim 61, includes a machine readable memory medium containing instructions that causes the performance of a system integration method that comprises receiving input data, through a smart card reader, from a user and generating with a programmable apparatus response data, that includes recommended services, from a vehicle dealership management system. In another aspect, the present invention, e.g. as claimed in independent claims 77 and 78, includes a machine readable memory medium containing instructions that cause the performance of a system integration method that comprises storing and accessing information regarding vehicle dealership activities with a smart card system and communicating between the vehicle dealership management system and the smart card system. In another aspect, the present invention, e.g. as claimed in independent claim 120, includes a system integration method executed by a smart card system that comprises receiving input data on a plurality of smart cards and the smart card system is adapted to store and access information regarding vehicle dealership activities. In another aspect, the present invention, e.g. as claimed in independent claim 135, includes a machine readable memory medium containing instructions that cause the performance of a method executed by a smart card system that comprises receiving input data on a plurality of smart cards and the smart card system is adapted to store and access information regarding vehicle dealership activities.

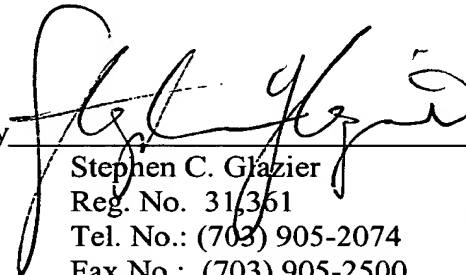
Randleman et al., Stewart et al., McGrath et al., Green et al., Chapin, Jr. et al., Cherrington et al., Hughes et al., and Smith et al. fail to disclose a programmable apparatus, smart card system, a system integration method, a method for a programmable apparatus, and a machine readable memory medium as claimed in claims 1, 17, 18, 31, 47, 48, 61, 77, 78, 120 and 135 (and their dependent claims as applicable) that use or include a smart card to


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access vehicle or vehicle dealership activities information from, for example, a vehicle dealership management system.

Therefore, the present application claims subject matter which is not disclosed, taught or suggested by the foregoing references and is patentable in light thereof. Accordingly, granting of this Renewed Petition to Make Special and expedited examination of the claims in the present application are earnestly solicited.

Respectfully submitted,

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22 Oct 01


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